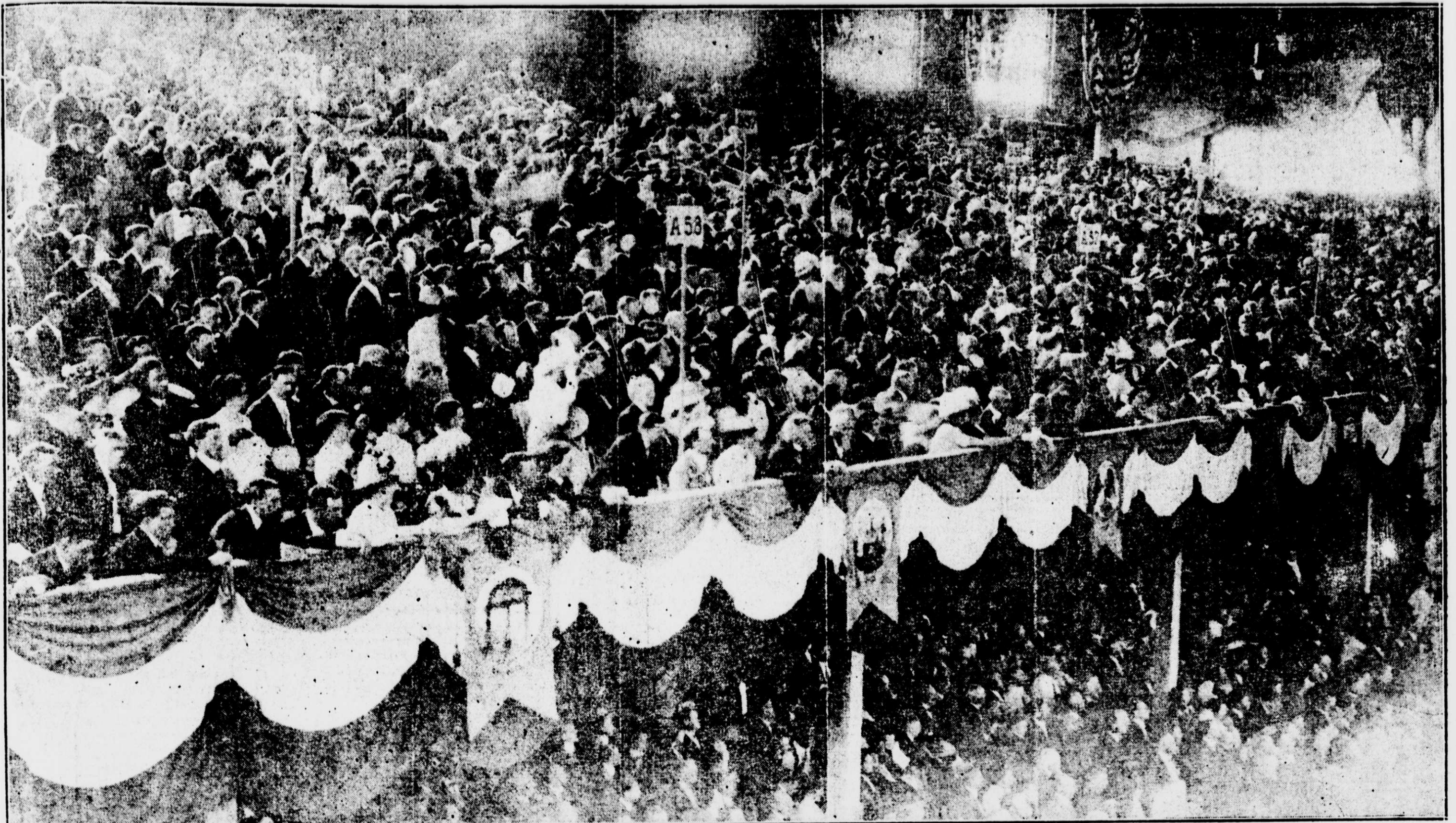


## VIEW OF THE GALLERY AT THE BALTIMORE CONVENTION

SOLICITOR-GENERAL  
LEHMANN RESIGNSPresident Taft Had the Resignation  
Nine Days Before  
Accepting It.

## A LIFELONG DEMOCRAT

He Accepted the Office Only on  
the President's Earnest  
Solicitation.

WASHINGTON, June 26.—Considerable speculation developed in official circles today over the resignation of Frederick W. Lehmann of St. Louis as Solicitor-General of the United States. The resignation was tendered to the President on June 17 and was not formally accepted until today, when the announcement was made after the fact had leaked out.

The Solicitor-General in his letter to the President asked to be relieved of the duty of his office for strictly personal reasons. While the President has had under consideration Marshall Bullitt, a lawyer, of Louisville, Ky., for the appointment, it was said at the White House tonight that no decision had yet been reached. It appears likely, however, that the young Kentuckian, who is an applicant for the office and who was in Washington earlier in the week, will be selected.

Friends of the Solicitor-General said today that they have known for some time that Mr. Lehmann was anxious to return to his law practice in St. Louis, which has netted him a much larger income than his salary from the Government, and they believed this was his only reason for resigning.

Attorney-General Wickersham concurred in this opinion, saying that his resignation was not in any way traceable to friction and that he had urged Mr. Lehmann to remain. It is said, however, that Mr. Lehmann was opposed to the Government's action in bringing the suit against the so-called coffee trust.

Mr. Lehmann was for many years president of the American Bar Association, and he is said to have been opposed to admitting negroes to membership in that association. William H. Lewis, a Boston negro and an Assistant Attorney-General, was recently admitted to membership and Attorney-General Wickersham favored his election. This, it is rumored in some circles, led to friction between the Attorney-General and the Solicitor-General, but it is denied by both.

Mr. Lehmann has been for many years a close personal friend of President Taft and he accepted the office only upon the President's earnest solicitation. He took his duties in December, 1910, filling the position created by the death of Lloyd Bowers of Chicago. In a short time friends of Mr. Lehmann urged his appointment to the Supreme Court and the President was known to be friendly to the suggestion. In fact he was on the verge of making the appointment when an impressive opposition developed. After that it was understood, Mr. Lehmann could not be content to remain in his present office.

Mr. Lehmann's letter of resignation was written on June 17, the Supreme Court having adjourned for the summer recess on June 10 to reconvene the second Monday in October. The President had the letter before him nine days before taking action, but most of the time since he has been too deeply interested in the Federal situation to take up other matters. Mr. Lehmann has been a lifelong Democrat and it is thought by some that he may wish to leave the Administration to enter politics. He declined to affirm or deny this, saying he had not entered

upon any political action for the present, although he might take part in the campaign in the fall. For the present, he said, he has only planned to return to St. Louis to resume his law practice.

Mr. Lehmann successfully completed the corporation tax case following the death of Solicitor-General Bowers. He prepared the opinion upon which the National City Company, which was thought to be near a violation of the Sherman anti-trust law, decided to reorganize to meet the Government's approval. He also took important part in the suits brought against the steel, hardware and beef trusts.

## PENALTY FOR MRS. SEAMAN.

Court Gives Her a Chance to Avoid  
Fine and Imprisonment.

An order by Judge Mayer fixing Mrs. E. C. Seaman (Nellie Bly) \$3,000 and committing her to prison for twenty days for contempt of court in failing to produce the books of the American Steel Barrel Company was filed yesterday in the United States District Court in Brooklyn. Judge Mayer said:

The record shows a contumacious conduct and a painful disregard for the administration of justice.

"The administration of the estate (Ironclad Company) has been seriously obstructed and the estate burdened with expenses because of the delay and the efforts to defeat the object sought by the trustee and creditors, namely, that the books should be subjected to the scrutiny of the court and its duly appointed officers. The record leaves no escape from the conclusion that the defendant is guilty of contempt of court."

An order may be presented on notice providing for a fine of \$3,000 and a commitment of twenty days. On failure to pay the fine an additional three months to be added.

"I will grant a stay conditionally that the bringing up of a review of my order be made at the earliest date. The order will be settled on notice returnable July 1."

## REMAKING OPIUM NO CRIME.

Prisoner Freed by Decision of Federal  
Court Regarding Yen Shee.

That the making of opium from yen shee, opium once smoked, is not manufacturing the drug for smoking purposes within the meaning of the law, was the decision handed down yesterday afternoon by the United States Circuit Court of Appeals in the case of Alfred Shelley, who was convicted recently in the United States District Court and sentenced to a year's imprisonment at Blackwell's Island. Counsel for Shelley contended that the remaking of smoking opium from the drug which had been used once was not the same as making it from the raw gum.

The higher court's decision operated to release not only Shelley, but several other prisoners similarly convicted. Shelley was held in \$1,000 bail, pending the Government's determination to appeal to the Supreme Court at Washington.

## W. U. NOT TO CUT RATES.

President Vail Denies Story of  
Sweeping Reductions.

BOSTON, June 26.—President Vail of the Western Union characterizes as "utterly absurd" the story emanating from New York to the effect that on July 1 the company would make a sweeping reduction in rates throughout the United States.

President Vail said:

"The Western Union is not contemplating any radical changes in its rates. The facts are that on July 1 we shall make a few changes, but only in sections of the country where there have been in vogue what may be termed 'discriminatory rates.'"

"On July 1 we shall so adjust these situations that as far as practicable no such discriminations shall exist. Not more than 100 offices will be affected."

## HER LONG RIDE NEAR AN END.

Miss Claire Coming on Horseback  
From Wyoming.

Miss Alberta Claire of Sheridan, Wyo., who is boosting the glories of her native State by a horseback ride across the continent, will complete the last mile of her long journey at noon Saturday, when she will turn her horse's nose up Broadway and dismount at Forty-second street. Miss Claire has been chaperoned along the way by members of the Sheridan Chamber of Commerce, who, however, have been content to stick pretty close to the cushioned seats of the Pullman smokers and then wait in the various hotels along the way for Miss Claire to catch up. Miss Claire left Sheridan about a year and a half ago and has averaged about seven hours a day in the saddle ever since.

Before starting east she made a tour of the Pacific coast region, travelling through Portland, San Francisco, San Diego and Los Angeles. She left Los Angeles on September 10 and arrived at Buffalo, N. Y., on April 6. The distance between Pittsburgh and Atlantic City, over four hundred and fifty miles, was covered in twelve days.

Miss Claire, or "the girl from Wyoming," as she is popularly known, is the daughter of an old rancher, Albert Claire, who before his death had numerous friends in this city. He was a member of the local Mecca Temple Shrine of the Masonic Order.

## MORMONS IN SUGAR SUIT.

But Prosecutor Says Church Was No  
Party to Conspiracy.

Assistant United States Attorney James R. Knapp, at the sugar inquiry in the Federal Building yesterday, tried to show that the late H. O. Havemeyer's deference to the Mormon Church accounted for the different treatment accorded by the sugar magnate to the Utah sugar companies and the others. In Colorado Havemeyer ousted practically all the local directors of companies he had acquired and put in directors known to be friendly to his interests. In Utah, on the other hand, local directors were permitted to remain and very little was done by Havemeyer to control them.

Mr. Knapp interrogated Thomas P. Cutler, vice-president and general manager of the Utah-Idaho Sugar Company, along those lines. Counsel for the defense objected to dragging in the Mormon Church on the ground that the question of religion is wholly irrelevant.

Mr. Cutler said that most of the prominent business men of Salt Lake City are Mormons, and in reply to Mr. Knapp's question about the feeling of a Mormon to his brother Mormon the witness said: "I think you will find that a Mormon watches his brother Mormon as closely and competes with him as hard as the New York business man competes with his brother business man."

"Recognizing sugar companies as an agent for the advancement of the people, was not the Mormon Church solicitous concerning the welfare of the companies?" asked Mr. Knapp.

Mr. Cutler replied Mr. Knapp, while counsel for the defense entered vigorous objections. "If the question is as to the conduct of the Mormon Church and the sugar companies is relevant," said Judge Rolapp, counsel for the Analagated Sugar Company, who is himself a Mormon, "it should be set forth in the bill of complaint in order that they may have an opportunity to answer in writing."

"I will state for the record," said Mr. Knapp, "that I have no idea in making these questions that the Mormon Church was a party to the conspiracy charged in the suit."

Long Island Railroad's Summer  
Schedule.

More than eight hundred trains daily is the programme the Long Island Railroad will carry out during the continuance of its summer schedule, which went into effect yesterday. Simultaneously with the above announcement regarding summer train service comes the information from President Peters that previous records for the sale of commutation tickets are steadily being supplanted. The latest computation shows that there were 15,528 commuters this month, which is 2,400 more than in June, 1911.

REBELS HOLD PASS AND  
CHECK FEDERAL ATTACKMaderistas Flank Orozco, but  
Are Dispersed in Prema-  
ture Manoeuvre.

## U. S. TROOPS IN EL PASO

Gen. Wood Sends Reinforce-  
ments in Expectation of  
Fighting Across Border.

EL PASO, June 26.—Flanking the rebels at Bachimba Pass, forty miles south of Chihuahua, the Federals attacked them from the rear with cavalry to-day and there has been some spirited fighting, but the rebels have been able to scatter the Federals largely, as the main Federal column did not attack.

It is believed that the flank attack was made prematurely, as Gen. Huerta has not yet arrived in position in front of the rebels to attack them, though there has been fighting between the advance guards of the two armies and each side has taken some straggling prisoners.

There is yet no sign of the appearance of the Federals from Sonora to attack Juarez, although according to the Mexican Federal plans this was scheduled to take place simultaneously with the fighting at Bachimba. The Juarez garrison has been strongly reinforced. Federals expect Orozco to fall back to Juarez and make his final stand here if defeated at Chihuahua.

Orozco's father, in command in Juarez, says nothing of this sort will happen, but that Orozco, if he fails to beat back the enemy at Bachimba and is driven out of Chihuahua, will make a dash south and attempt to get between Huerta and Torreon.

"There will be no surrender and no acceptance of amnesty," said Gen. Pascual Orozco, the rebel general, at the front to-day. This was in reply to a despatch from Mexico City saying that a rumor prevails there that the rebels may quit the field.

"There can be no cessation of the revolution until Madero resigns as President," continued Orozco. "Madero has already offered to give us all the Cabinet officers if we would recognize him as President, but we refused to recognize him."

Three hundred refugees from Chihuahua with a rebel army treasury reserve and a number of cavalry horses for the Juarez garrison have arrived over the Mexican Central from Chihuahua. To-day's train from Chihuahua was expected to bring as many more refugees.

Nearly all of those arriving were Mexicans and many brought what personal belongings they could carry. They reported that Chihuahua was rapidly being made ready for evacuation.

WASHINGTON, June 26.—In anticipation of trouble at Juarez when the approaching Federal forces seek to wrest the border city from the rebels now in possession of it, Gen. Wood to-day ordered a squadron of the Third Cavalry moved from San Antonio to El Paso. When the cavalrymen arrive the total United States force in El Paso will consist of one regiment and one squadron of cavalry, one regiment and one battalion of infantry and a battery of field artillery. It is believed here that this force will be adequate to handle any situation that may arise as a result of fighting across the border.

Continued improvement in the revolutionary situation in Mexico is reported to the State Department. Information reached Washington from all sources to the effect that the Orozco revolution is "petering out."

## FOUND NO BIG FISH SALE.

Rumor That Cheap Food Enterprise  
Will Come Off To-day.

Part of the big crowd that was expected to appear at the sale of fish under the direction of the citizens' committee at First avenue and Fifty-ninth street yesterday morning were on hand at 9 o'clock, the hour stated, but there wasn't a fish in sight. Some poor people had travelled from the other parts of Manhattan to see what kind of fish they could buy for five and seven cents a pound, but after they had searched in vain for the market they went away.

There were a few pans, tin counters and a pile or two under the bridge at the alleged place where the big sale was going to take place, but there was nary a fish. The superintendent of the bridge said some one had surreptitiously placed the things there earlier in the day and had later come to him with the news that the

big sale that had been heralded for two days had been delayed but that this morning at 9 o'clock there would be stacks and stacks of fish for all that came.

The citizens' committee, it is said, will be on hand to see that the sale is conducted right, and that the East Siders get the first chance to buy.

## OUTSIDE LINE'S TROUBLES.

Steamship Inquiry Brings Out Rail  
and Water Arrangements.

The testimony of Matthew R. Malinowsky, agent of the Uranium Steamship Company, given several days ago relative to the holding up of storage passengers on the German and Russian frontiers, was corroborated yesterday at the steamship trust hearing in the Federal Building by Paul G. Fourman, passenger agent for C. B. Richard & Co., representatives of the Uranium Steamship Company. Mr. Fourman also testified that the Uranium Line had tried

to get a commercial allowance eastbound on the joint railroad and steamship business which is allowed to companies of the combination but was turned down. In support of this testimony this letter from the Central Passenger Association of Chicago to Vesely & Co., passenger agents for the Northwest Transport Company, an independent line, under date of July 26, 1909, was read into the record:

"Acknowledging your favor of the 23d inst. with enclosure referred to, inasmuch as we are advised that your company is not a party to the understanding between certain rail and ocean lines, whereby certain allowances are made by the rail interests on account of tickets sold by the steamship companies, we have no alternative other than to return ticket vouchers accompanying your letter."

With regard to his experience in selling tickets for various steamship lines, the witness said:

"I visited agents for the other lines and some of them would not accept tickets because they said they were conference agents and according to a rule could not sell steamship tickets for independent lines."

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